



PATENT  
ATTORNEY DOCKET NO.: 051481-5077

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

Frederic GAGNON

Application No.: 09/986,758

Filed: November 9, 2001

For: DIFFUSER IN AN AIR MASS FLOW  
CONTROLLER

Commissioner for Patents  
Washington, D.C. 20231

Sir:

Group Art Unit: 1745

Examiner: Unassigned

*H. Heron*  
#2  
11/25/2002

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**INFORMATION DISCLOSURE STATEMENT  
UNDER 37 C.F.R. § 1.97(b)**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicant brings to the attention of the Examiner the document listed on the attached PTO-1449. This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-referenced application. Accordingly, Applicant does not believe that a fee is due for filing this paper.

Provisional U.S. Patent Application No. 60/255,713 (now Patent Application No. 09/986,756) is discussed at page 1, of the present specification, and may be pertinent for the reasons noted therein. A copy of the listed document is attached. Applicant respectfully requests that the Examiner consider the listed document and evidence that consideration by making appropriate notations on the attached form.

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This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that the listed document is material or constitutes "Prior Art". If it should be determined that the listed document does not constitute "Prior Art" under United States law, Applicants reserve the right to present to the office the relevant facts and law regarding the appropriate status of such document.

Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed document, should the document be applied against the claims of the present application.

**Except** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

**MORGAN, LEWIS & BOCKIUS LLP**

Dated: November 5, 2002

By: 

Scott J. Anchell

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